

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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5 HARRIET H. ROLAND, M.B.A., J.D., LTD.,

6 Plaintiffs,

7 vs.

8 DARLENE HICKMAN, *et al.*,

9 Defendants.

2:15-cv-01133-JCM-VCF

**ORDER GRANTING MOTIONS TO
WITHDRAW**

**REPORT AND RECOMMENDATION THAT
THIS CASE BE DISMISSED WITH
PREJUDICE**

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12 On May 12, 2015 plaintiff commenced an action for interpleader and declaratory relief in the
13 Eighth Judicial District Court, Clark County, Nevada. (ECF No. 1-2). On June 16, 2015, the United
14 States removed the interpleader action to this court. (ECF No 1).

15 On August 13, 2015, pursuant to court order entered on August 12, 2015, (ECF No. 30) plaintiff
16 deposited \$103,396.31 ("The Interpled Funds") with the clerk of court. (ECF No. 32).

17 Thereafter, pursuant to this court's order entered on March 28, 2016, The Interpled Funds were
18 transferred to the Eighth Judicial District Court, Department E, for further proceedings, in accordance
19 with the doctrine of prior exclusive jurisdiction. (ECF No. 38).

20 On April 20, 2017, counsel for defendant Marvin Hickman moved to withdraw.

21 On June 24, 2017, counsel for defendant Darlene Hickman moved to withdraw.

22 Plaintiff has disclaimed any interest in The Interpled Funds. (ECF No.47-1). Defendant
23 Summerlin Hospital Medical Center has stipulated that The Interpled Funds should be paid first to the
24 United States to satisfy the tax liens. *Id.* Defendant Summerlin Hospital Medical Center recognized that
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1 upon satisfaction of the tax liens, there will be no surplus available for further distribution, because the
2 amount of the tax claims far exceeds the amount of The Interpled Funds. *Id.*

3 Defendants Marvin Hickman and Darlene Hickman have not provided any argument or evidence
4 to this court which would support a finding that either of them is entitled to receive any portion of The
5 Interpled Funds.

6 On October 11, 2017, the court held a hearing to address all pending motions. The parties
7 appearing reported that The Interpled Funds have been transferred to The United States.

8 Accordingly,

9 IT IS HEREBY RECOMMENDED that this action be dismissed with prejudice each party bearing
10 its own costs and attorneys fees.

11 IT IS HEREBY ORDERED that counsel from Marvin Hickman and Darlene Hickman must
12 deliver a copy of this Order and Report and Recommendation to their respective clients, notifying them
13 that, should they object to the Order or Report and Recommendation, they must file their objections with
14 the court on or before the 14th day after this Order and Report and Recommendation is entered on the
15 docket.

16 IT IS FURTHER ORDERD that counsel for Marvin Hickman and Darlene Hickman must file
17 certifications with the court documenting the time and manner in which they provided each client with a
18 copy of this Order and Report and Recommendation, and informed them of the deadline for objection.

19 IT IS FURTHER ORDERED, effective on the respective date each counsel files the certification
20 required above, Motions to Withdraw (ECF Nos. 49 and 61) are GRANTED.

21 DATED this 11th day of October, 2017.

22 
23 CAM FERENBACH
24 UNITED STATES MAGISTRATE JUDGE
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